

#3

EXPRESS MAIL NO.: EM 061 020 454 US

PATENT IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Griffais et al.

Serial No.: 09/201,228

Group Art Unit: 1643

Filed: November 30, 1998

Examiner: To Be Assigned

For: CHLAMYDIA TRACHOMATIS
GENOMIC SEQUENCE AND
POLYPEPTIDES, FRAGMENTS
THEREOF AND USES THEREOF, IN
PARTICULAR FOR THE
DIAGNOSIS, PREVENTION AND
TREATMENT OF INFECTION

Attorney Docket No.: 9710-004

**TRANSMITTAL IN RESPONSE TO NOTICE
TO FILE MISSING PARTS OF APPLICATION**

Assistant Commissioner for Patents
Box Missing Parts
Washington, D.C. 20231

Sir:

In response to the Notice to File Missing Parts ("Notice"), dated February 9, 1999 please consider the remarks below. Applicants include herewith (a) two Oaths and Declarations executed by the inventors; (b) a Petition to Extend Time accompanied by the appropriate fee; and (c) a copy of the Notice.

It is noted that the instant non-provisional application as originally filed listed only Remy Griffais as inventor of the claimed subject matter. The instant non-provisional application was filed without an executed Oath or Declaration. The executed Oath and Declaration submitted herewith lists, in addition to Dr. Griffais, Susan K. Hoiseth, Robert J. Zagursky, Benjamin J. Metcalf, Joel A. Peek, Banumathi Sankaran, and Leah D. Fletcher as inventors of the claimed subject matter.

Pursuant to 37 C.F.R. § 1.48 (f)(1), submission of the executed Oath and Declaration acts to correct the earlier identification of only Dr. Griffais as inventor of the claimed subject matter. Applicants respectfully request that a new filing receipt be issued reflecting this change in inventorship.

It is estimated that a fee of \$130.00 is required for filing this Reponse. Please charge the required fee to Pennie & Edmonds LLP Deposit Account No. 16-1150. A copy of this sheet is enclosed.

Entry of the foregoing amendments and remarks is respectfully requested.

Respectfully submitted,

Date April 6, 1999

Laura A. Coruzzi
Laura A. Coruzzi

PENNIE & EDMONDS LLP

1155 Avenue of the Americas

New York, New York 10036-2711

(212) 790-9090

39
30,742
(Reg. No.)

Enclosure

Nicholas C. Lange
Reg. No. 39,201

FILING RECEIPT
CORRECTED



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTORNEY DOCKET NO.	DRWGS	TOT CL	IND CL
09/201,228	11/30/98	1643	\$4,354.00	9710-004	3	56	6

PENNIE & EDMONDS
1155 AVENUE OF THE AMERICAS
NEW YORK NY 10036-2711

CHILCO
2304

REFERRED TO
REC'D

MAY 27 1999

Pennie & Edmonds
O.K. for filing

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Application Processing Division's Customer Correction Branch within 10 days of receipt. Please provide a copy of the Filing Receipt with the changes noted thereon.

Applicant(s)

REMY GRIFFAIS, MONTROUGE, FRANCE; SUSAN K. HOISETH,
FAIRPORT, NY; ROBERT JOHN ZAGURSKY, VICTOR, NY;
BENJAMIN J. METCALF, ROCHESTER, NY; JOEL A. PEEK,
PITTSFORD, NY; BANUMATHI SANKARAN, PENFIELD, NY;
LEAH DIANE FLETCHER, GENESEO, NY.

CONTINUING DATA AS CLAIMED BY APPLICANT-

PROVISIONAL APPLICATION NO. 60/107,077 11/04/98

FOREIGN APPLICATIONS-	FRANCE	FR 97-15041	11/28/97
	FRANCE	FR 97-16034	12/17/97

IF REQUIRED, FOREIGN FILING LICENSE GRANTED 05/20/99

TITLE

CHLAMYDIA TRACHOMATIS GENOMIC SEQUENCE AND POLYPEPTIDES, FRAGMENTS
THEREOF AND USES THEREOF, IN PARTICULAR FOR THE DIAGNOSIS, PREVENTION
AND TREATMENT OF INFECTION

PRELIMINARY CLASS: 435

DATA ENTRY BY: FLEMING, JEREMY S. TEAM: 01 DATE: 05/20/99

LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "FOREIGN FILING LICENSE GRANTED" followed by a date appears on the reverse side of this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.11. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related application(s) filed under 37 CFR 1.62 which meets the provisions of 37 CFR 5.15(a). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations, especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR Parts 121-126)), the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "FOREIGN FILING LICENSE GRANTED" DOES NOT appear on the reverse side of this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

REC'D

FEB 1 1999

Pennie & Edmonds

O.K. for filing APPLICATION NUMBER

FILING/RECEIPT DATE

FIRST NAMED APPLICANT

ATTORNEY DOCKET NO./TITLE



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

DATE MAILED:

NOTICE TO FILE MISSING PARTS OF APPLICATION

Filing Date Granted.

02/11/99 - FEB 1 1999 - 4/9/99 GA

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☐ small entity (statement filed) ☒ non-small entity is \$ 130.

- ☐ 1. The statutory basic filing fee is:
- ☐ missing.
 - ☐ insufficient.

Applicant must submit \$ _____ to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

- ☐ 2. Additional claim fees of \$ _____, including any multiple dependent claim fees, are required.

\$ _____ for _____ independent claims over 3.

\$ _____ for _____ dependent claims over 20.

\$ _____ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

- ☒ 3. The oath or declaration:

☒ is missing or unexecuted.

☐ does not cover the newly submitted items.

☐ does not identify the application to which it applies.

☐ does not include the city and state or foreign country of applicant's residence.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

- ☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

- ☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

- ☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).
- ☐ 7. Your filing receipt was mailed in error because your check was returned without payment.
- ☐ 8. The application does not comply with the Sequence Rules.
See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."
- ☐ 9. OTHER: _____

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice MUST be returned with the reply.

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY